



DT15 Rec'd PCT/PTO JUN 10 2002

1655

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DEX-0146

Inventors: Yang et al.

Serial No.: 09/762,028

Filing Date: 10 May 2001

Examiner: Unknown

Group Art Unit: 1655

Title: Novel Method of Diagnosing,  
Monitoring, Staging, Imaging and  
Treating Lung Cancer

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I, Nathan P. Letts, Registration No. 36,581, certify that this correspondence is being depositing with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231.

On this date, June 5, 2002

  
Nathan P. Letts, Registration No. 36,581

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

#### INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(XX) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the

date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

- ( ) In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

- ( ) Certification in Accordance with §1.97(e) is set forth below; or

- ( ) The fee of \$180.00 as set forth in §1.17(p) is attached.

- ( ) In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(i)(1).

(xx) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.

(xx) A copy of the of the PCT Search Report for PCT Application PCT/US99/16247 which corresponds to the subject US application 09/762,028 is included.

- ( ) In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449

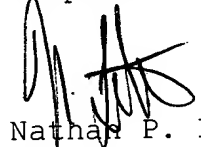
(modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_, filed , for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

(XX) Due to the large size of some references, only relevant portions have been submitted. The included portions are as follows: WO 01/22920 A2 (Pages 1-11, 206, 309-408, 1769-1784, 1865, 1891-2157, 2224-2227, sequence listing pages 1, 1610-1611, 5836-5837); WO 01/64835 A2 (pages 1-130, 265, 509, 859, 1396-1399). Full text of abbreviated reference is available if requested.

( ) Reference @@ is in a foreign language. Therefore, a Geneseq Search report is attached to demonstrate relevance.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-0434. This form is submitted in duplicate.

Respectfully submitted,



Nathan P. Letts  
Registration No. 36,581

Date: June 5, 2002

DiaDexus, Inc.  
343 Oyster Point Blvd.  
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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Serial Number	09/762,028
Filing Date	10 May 2001
Applicant	Yang et al.
Group Art Unit	1655
Examiner Name	Unknown
Attorney Docket Number	DEX-0146

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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class	Subclass	Filing Date MM-DD-YYYY
	AA	US 5,589,579	12/31/1996	Torczynski et al.			7/19/1994

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class	Subclass	Translation/ Comments
	AB	WO 98/20143 A1	5/14/1998	Cohen et al.			
	AC	WO 00/08206 A1	2/17/2000	Yang et al.			
	AD	WO 00/78953 A2	12/28/2000	Lal et al.			
	AE	WO 01/22920 A2	4/5/2001	Ruben et al.			Abbreviated
	AF	WO 01/64835 A2	9/7/2001	Tang et al.			Abbreviated
	AG	WO 02/10390 A2	2/7/2002	Curtis, Rory			

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Author, title of the article, title of the item, date, volume-issue number, page(s).	Translation/ Comments

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.